

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the District of Columbia Administrative Procedure Act to clarify the publication requirements for Council bills and resolutions; to amend the District of Columbia Codification Act of 1975 to clarify the publication requirements and effective date for Council legislation; to amend the Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016 to clarify term limits for the Commission on Out of School Time Grants and Youth Outcomes; and to amend the District of Columbia School Reform Act of 1995 to clarify the term limits of members of the Public Charter School Board.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Term Clarification Emergency Declaration Resolution of 2024”.

Sec. 2. (a) The law establishing the Public Charter School Board, the District of Columbia School Reform Act of 1995, approved April 26, 1996, limits to two the number of terms its members may serve (110 Stat. 1321; D.C. Official Code § 38-1802.14(a)(3)).

(b) Yet, of the 32 total members appointed to the Board since 1997, 13 of them (41%) served incomplete first terms, with seven (22%) serving an initial first term of less than two years. The challenge for both the Mayor and Council is whether members who initially served a partial term may subsequently be reappointed for two full terms.

(c) This emergency addresses this question by clarifying that when a member is appointed for a partial term – less than three years – he or she may be reappointed for two full terms. This change impacts the possible reappointment of a current member of the Public Charter School Board, Jim Sandman. First appointed in July 2019, Mr. Sandman replaced

38 Donald Soifer whose term had long-expired. Mr. Sandman’s initial appointment was for
39 approximately eight months, expiring February 24, 2020. Subsequently, Mayor Bowser
40 reappointed Mr. Sandman (confirmed by the Council as part of D.C. Act 23-286) for a four-year
41 term to end February 24, 2024. This amendment will ensure Mr. Sandman will be eligible for
42 one additional term ahead of its expiry should the Mayor so choose.

43 (d) The permanent version of this legislation makes further clarifications to the law
44 regarding partial terms for members of the Commission on Out of School Time and are included
45 in this emergency legislation.

46 (e) In addition, the underlying permanent legislation clarifies that legislation need not be
47 published in the *D.C. Register* in order to become effective. This provision is also included in
48 the emergency legislation. It is desirable to have this effective as soon as possible.

49 Sec. 3. The Council of the District of Columbia determines that the circumstances
50 enumerated in section 2 constitute emergency circumstances making it necessary that the Term
51 Clarification Emergency Amendment Act of 2024 be adopted after a single reading.

52 Sec. 4. This resolution shall take effect immediately.